

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

November 19, 2009

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** that the Minutes of the regular meeting of the Common Council held on November 12, 2009 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Valentine; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending November 18, 2009 in the amount of \$ 233,728.24 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of November 12 – November 18, 2009
- Report from the Building Inspector's Office from November 12, 2009 – November 16, 2009
- Statement of cash receipts from the Library for October 2009

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the

amount of \$ 1,582,864.40 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Valentine  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL:**

**Doug Butdorf** of 64 Trafalgar thinks that the fluoride issue needs to be studied more and proposes the Council create a resolution to study the issue for 5 years. He suggests setting aside the \$10,000 per year spent on fluoride and put that toward research.

**Steve Krieg** of 8 Mason Drive believes fluoride should be removed from the public water supply.

**Richard Robbins** 6 Stetson Ave read and submitted quotes on fluoride.

**Maureen Provost** 80 Lafayette St read and submitted quotes on fluoride.

**Bill Provost** 80 Lafayette St believes the City of Plattsburgh should cease fluoridation in the water supply.

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**7. TRAVEL REQUEST:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves Captain Michael Branch to attend the "Drug Enforcement Administration's Drug Unit Commander's Academy (D.U.C.A)" in Quantico, VA from December 1-10, 2009 at a cost not to exceed \$240 which will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter  
Discussion: None  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves Detective Steven Dube to attend the "Eastern Regional coordination Group Meeting, Project North Star in Albany, NY from November 23-24, 2009 at a cost not to exceed \$148 which will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Kelly  
Discussion: None  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

**ACTION TAKEN:** Adopted

Follow up Action: None

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**8. OTHER ITEMS:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves the request from Councilor Calnon to adopt a policy regarding the self-funded portions of the City's Health Insurance Benefits.

By Councilor Calnon; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves the regular Common Council meeting scheduled for Thursday, November 26, 2009 will be changed due to Thanksgiving Holiday to Tuesday, November 24, 2009 beginning at 5:30 pm. The work session will begin at 5 pm

By Councilor Rabideau; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves request from Councilor Calnon to notify the New York State Department of Health, and any other Agency with jurisdiction, of its intent to cease fluoridation of our public drinking water. (Resolution as printed below).

**RESOLUTION TO CEASE FLUORIDATION OF THE CITY OF PLATTSBURGH DRINKING WATER**

**WHEREAS,** the Mayor and City Council have been publicly and privately presented with documents and documentaries on the advantages and disadvantages of fluoridation of public drinking water; and

**WHEREAS,** The Common Council of the City of Plattsburgh has heard testimony and otherwise researched information regarding those advantages and disadvantages; and

**WHEREAS,** sentiment is voiced repeatedly at Common Council meetings by some concerned citizens;

**THEREFORE, BE IT RESOLVED THAT** the City of Plattsburgh will notify the New York State Department of Health, and any other Agency with jurisdiction, of its intent to cease fluoridation of our public drinking water and to obtain any necessary permissions or approvals to do so; and

**BE IT FURTHER RESOLVED THAT** upon receipt of all required permissions to make the change, the City of Plattsburgh will cease to order fluoridation materials, ceasing fluoridation upon the exhaustion of the supply of fluoridating materials in stock.

By Councilor Calnon; Second by Councilor Carpenter

Discussion:

**Councilor Calnon** made a motion to withdraw; Second by **Councilor Valentine**

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Withdrawn

Follow up Action: None

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**D. RESOLVED:** In accordance with the request therefore the Common Council approves request from Councilor Valentine to approve the immediate cessation of fluoridation of the city's water supply. (Resolution as printed below).

## **RESOLUTION TO REMOVE HYDROFLUOROSILICIC ACID (FLUORIDE) FROM THE CITY OF PLATTSBURGH'S MUNICIPAL WATER SUPPLY**

**WHEREAS**, the Centers for Disease Control and Prevention has now acknowledged the findings of many leading dental researchers, that the mechanism of fluoride's benefits are mainly topical not systemic, and

**WHEREAS**, despite being prescribed by doctors for over 50 years, the US Food and Drug Administration has never approved any fluoride product designed for ingestion as safe or effective, and

**WHEREAS**, fluoride is a cumulative poison, on average, only 50% of the fluoride we ingest each day is excreted through the kidneys. The remainder accumulates in our bones, pineal gland, and other tissues. If the kidney is damaged, fluoride accumulation will increase, and with it, the likelihood of harm, and

**WHEREAS**, once fluoride is put in the water it is impossible to control the dose each individual receives. This is because 1) some people (e.g. manual laborers, athletes, diabetics, and people with kidney disease) drink more water than others, and 2) we receive fluoride from sources other than the water supply. (Other sources of fluoride include food and beverages processed with fluoridated water, fluoridated dental products, mechanically deboned meat, teas, and pesticide residues on food), and

**WHEREAS**, dental decay is most concentrated in poor communities, we should be spending our efforts trying to increase the access to dental care for poor families. The real "Oral Health Crisis" that exists today in the United States, is not a lack of fluoride but poverty and lack of dental insurance. The Surgeon General has estimated that 80% of dentists in the US do not treat children on Medicaid, and

**WHEREAS**, the chemicals used to fluoridate water in the US are not pharmaceutical grade. Instead, they come from the wet scrubbing systems of the super-phosphate fertilizer industry. These chemicals (90% of which are sodium fluorosilicate and fluorosilicic acid), are classified hazardous wastes contaminated with various impurities. Recent testing by the National Sanitation Foundation suggest that the levels of arsenic in these chemicals are relatively high (up to 1.6 ppb after dilution into public water and of potential concern), and

**WHEREAS**, some of the earliest opponents of fluoridation were biochemists and at least 14 Nobel Prize winners are among numerous scientists who have expressed their reservations about the practice of fluoridation, and

**WHEREAS**, because of the risk for dental fluorosis, and the lack of demonstrable benefit from ingesting fluoride before teeth erupt, the American Dental Association- and a growing number of dental researchers recommend that \*children under 12 months of age should not consume fluoridated water\* while babies under 6 months of age should not receive any fluoride drops or pills, and

**WHEREAS**, fluoridation is unethical because individuals are not being asked for their informed consent prior to medication; this is standard practice for all medication, therefore

**BE IT RESOLVED** by the Common Council of the City of Plattsburgh, in its continuing effort to promote the health, safety and welfare of all, orders the immediate cessation of forced prophylactic medication of the public for the non-contagious disease, dental caries, as such disease is treatable by reasonable and less intrusive means.

By Councilor Valentine; Second by Councilor Kelly

Discussion:

**Councilor Calnon** would like to move to amend the resolution (as printed below) because he feels that the first, second and sixth "whereas" are not relevant or appropriate.

**Councilor Carpenter** asked **Councilor Valentine** how she felt about amending the resolution.

**Councilor Valentine** and **Councilor Calnon** went over "whereas" 1<sup>st</sup>, 2<sup>nd</sup> and 6<sup>th</sup> wording, etc.

**Councilor Kelly** wanted to comment and read information on "whereas" 2 and stated it should stay in.

**Councilor Calnon** said "whereas" 2 should be removed because it isn't relevant to the discussion because it applies to food and over the counter drugs.

**Councilor Calnon** feels "whereas" 6 is either incomplete or slightly misleading as it raises a fear that there is arsenic in the water.

**Councilor Valentine** suggested removing last sentence of "whereas" 6.

**Councilor Calnon** stated he would be fine with removing last sentence.

## **RESOLUTION TO REMOVE HYDROFLUOROSILICIC ACID (FLUORIDE) FROM THE CITY OF PLATTSBURGH'S MUNICIPAL WATER SUPPLY**

**WHEREAS**, the Centers for Disease Control and Prevention acknowledged the findings of many leading dental researchers, that the mechanism of fluoride's benefits are mainly topical not systemic, and

**WHEREAS**, fluoride is a cumulative poison, on average, only 50% of the fluoride we ingest each day is excreted through the kidneys. The remainder accumulates in our bones, pineal gland, and other tissues. If the kidney is damaged, fluoride accumulation will increase, and with it, the likelihood of harm, and

**WHEREAS**, once fluoride is put in the water it is impossible to control the dose each individual receives. This is because 1) some people (e.g. manual laborers, athletes, diabetics, and people with kidney disease) drink more water than others, and 2) we receive fluoride from sources other than the water supply. (Other sources of fluoride include food and beverages processed with fluoridated water, fluoridated dental products, mechanically deboned meat, teas, and pesticide residues on food), and

**WHEREAS**, dental decay is most concentrated in poor communities, we should be spending our efforts trying to increase the access to dental care for poor families. The real "Oral Health Crisis" that exists today in the United States, is not a lack of fluoride but poverty and lack of dental insurance. The Surgeon General has estimated that 80% of dentists in the US do not treat children on Medicaid, and

**WHEREAS**, the chemicals used to fluoridate water in the US are not pharmaceutical grade. Instead, they come from the wet scrubbing systems of the super-phosphate fertilizer industry. These chemicals (90% of which are sodium fluorosilicate and fluorosilicic acid), are classified hazardous wastes contaminated with various impurities.

**WHEREAS**, some of the earliest opponents of fluoridation were biochemists and at least 14 Nobel Prize winners are among numerous scientists who have expressed their reservations about the practice of fluoridation, and

**WHEREAS**, because of the risk for dental fluorosis, and the lack of demonstrable benefit from ingesting fluoride before teeth erupt, the American Dental Association- and a growing number of dental researchers recommend that \*children under 12 months of age should not consume fluoridated water\* while babies under 6 months of age should not receive any fluoride drops or pills, and

**WHEREAS**, fluoridation is unethical because individuals are not being asked for their informed consent prior to medication; this is standard practice for all medication, therefore

**BE IT RESOLVED** by the Common Council of the City of Plattsburgh, in its continuing effort to promote the health, safety and welfare of all, orders the immediate cessation of forced prophylactic

medication of the public for the non-contagious disease, dental caries, as such disease is treatable by reasonable and less intrusive means.

By Councilor Calnon; Second by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

Discussion on resolution as amended:

**Councilor Valentine** read entire resolution as amended.

**Councilor Valentine** wanted to make sure it is clear that fluoridation is not mandated or required by any regulatory agency. Therefore it is incumbent on municipalities to be informed on what we put in our water.

**Councilor Carpenter** asked if the Board of Health is still recommending that we fluoridate our water. **Lynn Howard** representative of the Board of Health stated that is still their recommendation that the water be fluoridated.

**Councilor Rabideau** wanted information from the CDC included in minutes and he stated he has spoken to the CDC and they are still recommending that water be fluoridated, etc. He feels we should follow the advice of the agencies that are charged with protecting our health and that we should continue fluoridating our water.

**Councilor Kelly** feels after his research he can no longer support fluoridating water and presented statistics that 25% of our population shouldn't have fluoride and is the Council willing to allow 25% of the population to suffer with their decision.

**Councilor Jackson** said this is a tough decision for him but he has to follow the recommendations of the CDC, state and federal government that the water should be fluoridated.

**Councilor Kelly** said there is very little research that supports fluoridation anymore.

**Councilor Calnon** stated the agencies (i.e.: EPA, CDC, etc) recommend fluoridating water and he supports those recommendations and if people feel strongly about this issue it should be done at state and national levels.

**Councilor Valentine** agrees we need to go to state and higher government levels but we can do something locally too and we need to cease fluoridation for the health and safety of our community.

**Councilor Kelly** agrees it needs to be done on the national stage and if someone wants fluoride (brush your teeth 20 times a day) they should get it and not medicate everyone. But it is important to have local action too.

**Councilor Valentine** stated don't brush your teeth 20 times a day because it isn't good for you.

**Councilor Kelly** withdrew his statement.

**Councilor Carpenter** stated he is voting "no" on ceasing fluoride because he stands with health department but if they voted tomorrow to stop fluoridation he would follow their recommendation.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(Councilors Carpenter, Rabideau, Calnon and Jackson voted in the affirmative. Councilors Kelly and Valentine voted in the negative)

**ACTION TAKEN:** Defeated

Follow up Action: None

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**E.** Motion to waive rule 4 for initial consideration "request from the City Chamberlain to revise the 2009 Public Works Equipment Replacement Project (H5110.26) to \$380,000.00 from \$361,000 to

include an additional vehicle funded by the Sewer Capital Reserve for \$19,000.

By Councilor Jackson; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**RESOLVED:** In accordance with the request therefore the Common Council approves the request from the City Chamberlain to revise the 2009 Public Works Equipment Replacement Project (H5110.26) to \$380,000.00 from \$361,000 to include an additional vehicle funded by the Sewer Capital Reserve for \$19,000.

By Councilor Jackson; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

1. Request from City Chamberlain that the 2009 Budget is revised as follows: Increase Appropriations for Parks & Beautification – Contract Services \$10,000 and Increase Estimated Revenue for General Fund – Gifts & Donations \$10,000 because the restoration of the Champlain Monument and surrounding grounds has been completed. This adjustment will not have the effect of increasing or decreasing the projected deficit in the 2009 budget.
2. The City of Plattsburgh reaffirms the rights of its citizens as stated in the applicable laws and implemented through its Fair Housing Program adopted in November 1991.
3. MAYOR DESIGNATES PAT LUCIA AS FAIR HOUSING OFFICER UNDER THE CITY'S FAIR HOUSING PROGRAM.
4. Request from the City Chamberlain to revise the 2009 Public Works Equipment Replacement Project (H5110.26) to \$380,000.00 from \$361,000 to include an additional vehicle funded by the Sewer Capital Reserve for \$19,000.(Move to agenda under “Other Items” Letter E)
5. Request from Bill Treacy, Manager MLD to write-off unpaid final bills from December 1, 2008 to December 31, 2008 in the total amount of \$2,381.27. The percentage of write-offs for this period is .13%.
6. Request from Steve Peters for the Mayor to sign a contract with Albany Runners Exchange for race services to be provided for the City of Plattsburgh Half Marathon on April 18, 2010



at a cost not to exceed \$4570 to be funded from the Recreation Complex Administration budget.

7. Request from Community Development Office to approve a loan to **CATHERINE GARDENS I HOUSING DEVELOPMENT FUND COMPANY, INC.** in the maximum principal amount of \$413,262.00 dollars subject to the terms and conditions set forth in the attached document entitled “Catherine Gardens Bridge Loan Terms”, and the Common Council authorizes the City Chamberlain to approve the sufficiency of the loan guarantee(s) required to assure repayment of said loan.

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**10. NEW BUSINESS: None**

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**11. CLOSING PUBLIC COMMENTS:**

**Bill Provost** of 80 Lafayette Street thanked **Councilor Valentine** and **Councilor Kelly** for bringing the fluoride resolution and stated it is not the end of the discussion.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Kelly  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
**MEETING ADJOURNED: 6:47 pm**